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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Heinz-Gerd Klaes) Art Unit: 1623
U.S. Appln. No. : 10/809,060) Examiner: To be assigned
Confirmation No. : 7001
U.S. Filing Date : March 25, 2004
Title of Invention : PHARMACEUTICAL COMPOSITION OF ANTIVIRAL AGENTS
Attny. Docket No. : 1/1475

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

February 11, 2005

TRANSMITTAL LETTER FOR INFORMATION DISCLOSURE STATEMENT

Sir:

Transmitted herewith concerning the subject application is an Information Disclosure Statement (Form 1449A/B) under 37 C.F.R. §§1.56 and 1.97, as more specifically described hereinbelow.

☒ 1.97(b). This Statement is being filed: i) within three (3) months of the filing date of a national application other than a continued prosecution application under 33 C.F.R. §1.53 (d); ii) within three (3) months of the date of entry of the national stage as set forth in 37 C.F.R. §1.491 in an international application; iii) before the mailing of a first Office action on the merits; or iv) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. §1.114.

☐ 1.97(c). This Statement is being filed after the time period specified in 37 C.F.R. §1.97(b), but before the mailing date of: i) a final action under 37 C.F.R. §1.113, ii) a notice of allowance under 37 C.F.R. §1.311, or iii) an action that otherwise closes prosecution in the application. This Statement is being accompanied by:

☐ A statement as specified in 37 C.F.R. §1.97(e) [see below]; or

☐ The fee set forth in 37 C.F.R. §1.17(p).

☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.97(d). This Statement is being filed after the period specified in 37 C.F.R. §1.97(c) but on or before payment of the issue fee. This Statement is accompanied by a statement as specified in 37 C.F.R. §1.97(e) [see below] and the fee set forth in 37 C.F.R. §1.17(p).

☐ 1.97(e).

☐ Each item of information contained in the instant information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three (3) months prior to the filing of the instant information disclosure statement; or

☐ No item of information contained in the instant information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing this certification after making reasonable inquiry, no item of information contained in the instant information disclosure statement was known to any individual designated in 37 C.F.R. §1.56(c) more than three (3) months prior to the filing of the instant information disclosure statement.

☐ The fee set forth in 37 C.F.R. §1.17(p).

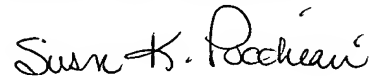
☐ The Commissioner is hereby authorized to charge payment of the \$180.00 fee set forth in 37 C.F.R. §1.17(p) to Deposit Account No. 02-2955.

☐ 1.704(d). Each item of information contained in the accompanying information disclosure statement was cited in a communication from a foreign patent office in a counterpart application, which communication was not received by any individual designated in section 1.56(c) more than thirty (30) days prior to the filing of the accompanying information disclosure statement.

☒ The Commissioner is hereby authorized to charge payment of any additional filing fees required under 37 C.F.R. §1.16 and any patent application processing fees under 37 C.F.R. §1.17, or credit any overpayment of same, to Deposit Account No. 02-2955.

Triplicate copies of this form are enclosed.

Respectfully submitted,



Susan K. Pocchiari
Attorney for Applicant(s)
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Patent Department
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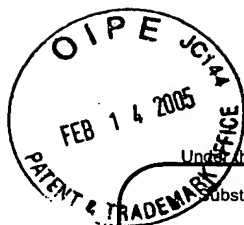
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STATEMENT BY APPLICANT**

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Sheet 1 of 2

Complete if Known

Application Number	10/809,060
Filing Date	March 25, 2004
First Named Inventor	Heinz-Gerd Klaes
Art Unit	1623
Examiner Name	To be assigned
Attorney Docket Number	1/1475

U. S. PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		US- 6,147,095	11/14/2000	James J. Ferry et al	
		US-			
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FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		WO 99/09031	02/25/1999	Medivir AB		
		WO 99/41268	08/19/1999	Medivir AB		
		WO 91/01137	02/07/1991	Harmenberg, Johan		
		WO 88/00050	01/14/1988	Astra Lakemedel Aktiebolag		
		WO 00/51641	09/08/2000	Biochem Pharma Inc.		

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Sheet

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of

2

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March 25, 2004

First Named Inventor

Heinz-Gerd Klaes

Art Unit

1623

Examiner Name

To be assigned

Attorney Docket Number

1/1475

NON PATENT LITERATURE DOCUMENTS

Examiner
Initials*Cite
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Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

 T^2

ROY M. GULICK ET AL; New drugs for HIV therapy; AIDS (2002) Vol. 16 No. 4 pages S135-S144;
Lippincott Williams & Wilkins

ERIK DE CLERCQ; New Developments in Anti-HIV Chemotherapy; Current Medicinal Chemistry (2001) Vol. 8 pages 1543-1572; Bentham Science Publishers Ltd

International Search Report Reference Number PCT/US2004/008764

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